

March 27, 2025

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISIONLAURA A. AUSTIN, CLERK
BY: S/J. Vasquez
DEPUTY CLERK

WILLIAM O. MURRAY, III,)	
Plaintiff,)	Civil Action No. 7:24-cv-00126
)	
v.)	
)	By: Elizabeth K. Dillon
DEP. YARDLEY, <i>et al.</i> ,)	Chief United States District Judge
Defendants.)	

MEMORANDUM OPINION AND ORDER

The plaintiff, William O. Murray, III, filed this civil rights action pursuant to 42 U.S.C. § 1983. Murray was a Virginia inmate proceeding *pro se* at the time this action was filed. Defendants moved to dismiss for failure to state a claim (Dkt. No. 16), and the court issued a *Roseboro* notice on May 15, 2024. (Dkt. No. 17.) The order explained that if Murray does not respond to the motion in a timely manner, the court will assume either that he lost interest in the case or that he agrees with what defendants state in their pleadings, and the case could be dismissed for failure to prosecute. The time to respond to the motion to dismiss has expired, and Murray did not file any response to the motion to dismiss.

While he did not file any response to the motion to dismiss, Murray filed a notice of change of address on June 5, 2024. (Dkt. No. 18.) The court sent another *Roseboro* notice to the updated address (Dkt. No. 19), but that notice was returned to the court as undeliverable with no forwarding address (Dkt. No. 20).

Murray has been advised by the court that failure to notify the court of a change of address upon transfer or release will result in dismissal of this case. (Dkt. Nos. 3, 5.) While Murray submitted two change of address notices since this case was filed (Dkt. Nos. 15, 18), one of which was filed after defendants filed their motion to dismiss, Murray apparently has changed

his address again without updating the court, and he has not responded to the motion to dismiss. Thus, the court will dismiss this matter without prejudice for want of prosecution.

Accordingly, it is HEREBY ORDERED that this case is DISMISSED WITHOUT PREJUDICE for failure to prosecute. All pending motions are DISMISSED WITHOUT PREJUDICE as moot. The Clerk is directed to STRIKE this case from the court's active docket and to transmit a copy of this order to Murray and to all counsel of record.

Entered: March 27, 2025

/s/ Elizabeth K. Dillon
Elizabeth K. Dillon
Chief United States District Judge